



Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Washington, D.C. 20554

**CGB**

May 28, 2019

Freddy Martinez  
MuckRock News, DEPT MR 70479  
411A Highland Avenue  
Somerville, MA 02144  
[91580856@requests.muckrock.com](mailto:91580856@requests.muckrock.com)

FOIA No. 2019-316

Dear Mr. Martinez:

This letter responds to your recent Freedom of Information Act ("FOIA") request received by the Federal Communications Commission ("FCC" or "Commission") and assigned to the Consumer & Governmental Affairs ("CGB") and Enforcement ("EB") Bureau. You are requesting all complaints mentioning the video game "Fortnite." We are responding to your request electronically.

CGB and EB conducted search of the databases containing complaints. Our search revealed 16 complaints that are responsive to your request, which are attached. EB informed CGB that a search of their records identified no responsive records. Please be advised that the FCC receives many complaints and comments that do not involve violations of the Communications Act or any FCC rule or order. Thus, the existence of a complaint or comment filed against a particular carrier or business entity does not necessarily indicate any wrongdoing by any individuals or business entities named in the complaint or comment.

The record responsive to your request was redacted under FOIA Exemption 6.<sup>1</sup> Exemption 6 protects files containing personally identifiable information disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Balancing the public's right to disclosure against the individual's right to privacy, we have

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<sup>1</sup> 5 U.S.C. § 552(b)(6).

determined that release of this information would constitute a clearly unwarranted invasion of personal privacy. Therefore, all FCC employees' names, complainants' address, and the complainants' telephone number were redacted under Exemption 6.

You have been categorized as an "all other requester" for purposes of assessing FOIA fees.<sup>2</sup> As such, you are responsible for the reasonable direct cost of searching for and reproducing records that are responsive to the request; however, you are entitled to be furnished with the first 100 pages of reproduction and the first two hours of search time without charge. As the costs of responding to your request did not exceed this amount we are not charging you any fees.

If you consider this to be a denial of your FOIA requests, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be *received* by the Commission within 90 calendar days of the date of this letter.<sup>3</sup> You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12<sup>th</sup> St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to [FOIA-Appeal@fcc.gov](mailto:FOIA-Appeal@fcc.gov). Please caption the envelope (or subject line, if via e-mail) and the application itself as "Review of Freedom of Information Action" and the application should refer to FOIA No. 2019-316.

If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission's FOIA Public Liaison for assistance at:

FOIA Public Liaison  
FCC, Office of the Managing Director,  
Performance Evaluation and Records Management  
445 12<sup>th</sup> St SW,  
Washington, DC 20554  
[FOIA-Public-Liaison@fcc.gov](mailto:FOIA-Public-Liaison@fcc.gov)

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Office of Government Information Services (OGIS), and the Federal FOIA Ombudsman's Office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

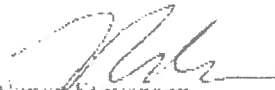
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<sup>2</sup> See 47 CFR § 0.470(a)(2).

<sup>3</sup> 47 CFR §§ 0.461(j), 1.115; 47 CFR § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, MD 20740-6001  
202-741-5770  
877-684-6448  
[ogis@nara.gov](mailto:ogis@nara.gov)  
[ogis.archives.gov](http://ogis.archives.gov)

Sincerely,



Nancy Stevenson  
Deputy Chief  
Consumer Policy Division  
Consumer & Governmental Affairs Bureau

Attachments